

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DERWIN JONES,

Plaintiff,

v.

ORDER

SCOTT HOFTIEZER and
DR. DAVID BURNETT,

Defendants.

08-cv-294-bbc

On May 11, 2009, judgment was entered dismissing this case in favor of defendants. Now plaintiff has moved for an order requiring the institution to transfer \$152.70 from his release account to pay towards the amount of \$207.72 that he owes this court.

The use of release account funds is governed by state law. *See* Wis. Admin. Code § DOC 309.466. According to § 309.466(2), “[r]elease account funds may not be disbursed for any reason until the inmate is released to field supervision, except to purchase adequate clothing for release and for out-of-state release transportation.” The only exception is that release funds can be used to pay an initial partial filing fee under the 1996 Prison Litigation Reform Act.

Because release funds cannot be used for any other reason, his request to have the funds used to pay the remainder of his filing fee.

ORDER

IT IS ORDERED that plaintiff’s motion for use of release account funds to pay the remainder of his filing fee, dkt. 45, is DENIED.

Entered this 18th day of August, 2010.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge